

**FILED**

JUN 04 2019

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CLERK U.S. DISTRICT COURT  
WEST. DIST. OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

HOWARD MCFADDEN  
JAMES WELLS  
DONALD SINGLETON  
RICHARD COTO-WHEAT  
JAYMARE JACKSON  
DORIAN BOYD  
DELBERT PATE  
MICHAEL ROSE  
REGINALD BROWN  
KREG WILLIAMS  
KEENAN WILLIAMS  
RAND WOLFORD  
MARCEL SEWELL  
TALEN HOLMES  
RODNEY DENNARD  
BERNARD WILKINS  
WILLIAM KALNA  
JUSTIN LAW  
TYRONE ROILTON  
LISAMARIE ROSS  
TRAVIS MOORE  
THOMAS DWYER  
GREGORY LUPTAK  
PAULA DEBAKER  
PHILIP MATEY

Criminal No. 19-162

**[UNDER SEAL]**

(21 U.S.C. §§ 841(a)(1), 841(b)(1)(C),  
846 and 18 U.S.C. §§ 922(g)(1),  
924(c)(1)(A)(i))

**INDICTMENT**

**COUNT ONE**

The grand jury charges:

From in and around August 2018, and continuing thereafter to in and around May 2019, in the Western District of Pennsylvania, the defendants, HOWARD MCFADDEN, JAMES WELLS, DONALD SINGLETON, RICHARD COTO-WHEAT, JAYMARE JACKSON, DORIAN BOYD, DELBERT PATE, MICHAEL ROSE, KEENAN WILLIAMS, TALEN

HOLMES, RODNEY DENNARD, BERNARD WILKINS, WILLIAM KALNA, JUSTIN LAW, LISAMARIE ROSS, TRAVIS MOORE, THOMAS DWYER, GREGORY LUPTAK, and PHILIP MATEY, did knowingly, intentionally and unlawfully conspire with one another and with persons both known and unknown to the grand jury, to distribute and possess with intent to distribute 100 grams or more of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, contrary to the provisions of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(i).

All in violation of Title 21, United States Code, Section 846.

**COUNT TWO**

The grand jury further charges:

From in and around August 2018, and continuing thereafter to in and around May 2019, in the Western District of Pennsylvania, the defendants, HOWARD MCFADDEN, DONALD SINGLETON, MICHAEL ROSE, TALEN HOLMES, BERNARD WILKINS, PHILIP MATEY, and MARCEL SEWELL, did knowingly, intentionally and unlawfully conspire with one another and with persons both known and unknown to the grand jury, to distribute and possess with intent to distribute 500 grams or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, contrary to the provisions of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(ii).

All in violation of Title 21, United States Code, Section 846.

### **COUNT THREE**

The grand further jury charges:

From in and around August 2018, and continuing thereafter to in and around May 2019, in the Western District of Pennsylvania, the defendants, HOWARD MCFADDEN, JAMES WELLS, DONALD SINGLETON, JAYMARE JACKSON, DORIAN BOYD, DELBERT PATE, MICHAEL ROSE, REGINALD BROWN, KREG WILLIAMS, RAND WOLFORD, MARCEL SEWELL, TALEN HOLMES, RODNEY DENNARD, BERNARD WILKINS, TYRONE ROILTON, LISAMARIE ROSS, PAULA DEBAKER, and PHILIP MATEY, did knowingly, intentionally and unlawfully conspire with one another and with persons both known and unknown to the grand jury, to distribute and possess with intent to distribute 280 grams or more of a mixture and substance containing a detectable amount of cocaine base, in the form commonly known as crack, a Schedule II controlled substance, contrary to the provisions of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A)(iii).

All in violation of Title 21, United States Code, Section 846.

**COUNT FOUR**

The grand jury further charges:

On or about April 15, 2019, in the Western District of Pennsylvania, the defendant, MICHAEL ROSE, did knowingly, intentionally, and unlawfully possess with intent to distribute quantities of mixtures and substances containing a detectable amount of heroin, a Schedule I controlled substance; cocaine, a Schedule II controlled substance; and cocaine base, in the form commonly known as crack, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

### **COUNT FIVE**

The grand jury further charges:

On or about April 15, 2019, in the Western District of Pennsylvania, the defendant, MICHAEL ROSE, after having been convicted on or about August 19, 2009, at Docket Number CP-02-CR-0005391-2008, in the Court of Common Pleas, County of Allegheny, Criminal Division, Commonwealth of Pennsylvania, of the crime of aggravated assault, which is a crime punishable by imprisonment for a term exceeding one (1) year, did possess, in and affecting interstate commerce, a tan Glock 19x pistol, bearing serial number BHWU068, and did so knowingly.

In violation of Title 18, United States Code, Section 922(g)(1).

## **COUNT SIX**

The grand jury further charges:

On or about April 15, 2019, in the Western District of Pennsylvania, the defendant, MICHAEL ROSE, knowingly did carry a firearm, that is, a tan Glock 19x pistol, bearing serial number BHWU068, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, that is knowingly, intentionally, and unlawfully possessing with intent to distribute quantities of mixtures and substances containing a detectable amount of heroin, a Schedule I controlled substance; cocaine, a Schedule II controlled substance; and cocaine base, in the form commonly known as crack, a Schedule II controlled substance, contrary to the provisions of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C), as charged at Count Four of this Indictment.

In violation of Title 18, United States Code, Section 924(c)(1)(A)(i).

### **NOTICE OF SPECIAL FINDINGS**

The grand jury further finds:

1. As to Counts One through Three, the defendant, HOWARD MCFADDEN:

(a) was previously convicted on or about November 9, 2011, in the Court of Common Pleas of Allegheny County, at Docket Number: CP-02-CR-0000992-2011, of the crimes of possession with intent to deliver a controlled substance and conspiracy to possess with intent to deliver a controlled substance;

(b) served a term of imprisonment of more than twelve (12) months for the offense described in Subparagraph 1(a); and

(c) was released from any term of imprisonment for the offense described in Subparagraph 1(a) within fifteen (15) years of the commencement of each of the offenses charged in Counts One through Three.



### **FOREITURE ALLEGATION**

1. The allegations contained in Counts One through Six of this Indictment are incorporated by reference as if fully set forth herein for the purpose of alleging criminal forfeiture pursuant to Title 21, United States Code, Sections 853(a)(1), 853(a)(2), and 853(p); Title 18, United States Code, Section 924(d)(1); and Title 28, United States Code, Section 2461(c).

2. Pursuant to Title 21, United States Code, Section 853, upon conviction of an offense in violation of Title 21, United States Code, Section 846, the defendants, HOWARD MCFADDEN, JAMES WELLS, DONALD SINGLETON, RICHARD COTO-WHEAT, JAYMARE JACKSON, DORIAN BOYD, DELBERT PATE, MICHAEL ROSE, REGINALD BROWN, KREG WILLIAMS, KEENAN WILLIAMS, RAND WOLFORD, MARCEL SEWELL, TALEN HOLMES, RODNEY DENNARD, BERNARD WILKINS, WILLIAM KALNA, JUSTIN LAW, TYRONE ROILTON, LISA MARIE ROSS, TRAVIS MOORE, THOMAS DWYER, GREGORY LUPTAK, PAULA DEBAKER, and PHILIP MATEY, shall forfeit to the United States of America any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offense and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offense.

3. The property to be forfeited by the defendants includes, but is not limited to the following:

(a) Defendant HOWARD MCFADDEN shall forfeit a Jeep Grand Cherokee, bearing PA Registration KTL2336, and VIN 1C4RJFBG5FC725649.

(b) Defendant DONALD SINGLETON shall forfeit a GMC Sierra, bearing PA registration ZMD7985, and VIN 3GTU2MEC0JG260658.

(c) As a result of the commission of the violation of Title 21, United

States Code, Section 846, charged in Counts One through Three of the Indictment, and Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C), charged in Count Four of the Indictment, defendant MICHAEL ROSE shall forfeit \$892.00 in United States currency.

(d) As a result of the commission of the violation of Title 18, United States Code, Sections 922(g)(1) and 924(c)(1)(A)(i), charged in Counts Five and Six of the Indictment, defendant MICHAEL ROSE shall forfeit a tan Glock 19x pistol, bearing serial number BHWU068.

4. If any of the property described above, as a result of any act or omission of the defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be derived without difficulty,

the United States of America shall be entitled to forfeiture of substitute property, pursuant to Title 21, United States Code, Section 853(p).

A True Bill,

Foreperson

  
SCOTT W. BRADY  
United States Attorney  
PA ID No. 88352